

Application No.: 09/900,596  
Amendment Dated: August 21, 2003  
Reply to Office Action Dated: May 13, 2003

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A composition for treatment of pollution comprising:

a first component comprising a non-toxic, non-flammable, microorganism assimilable carbon containing substance in an oil phase;

a second component comprising a non-toxic nutrient in a water phase, the second component being formed as an emulsion within the first component; and

a third component comprising a diluent added to the first and second components, the diluent comprising a non-toxic, non-flammable, ~~microorganism~~ microorganism assimilable carbon containing compound which is soluble in the first component and is selected to facilitate viscosity stabilization for extended storage,

wherein the combination of the first, second and third components provide an initial source for culturing microorganisms present in a pollution site being treated.

2. (Currently Amended) A composition as claimed in claim 1 wherein the first component is a ~~microorganism~~ microorganism assimilable carbon containing composition.

Application No.: 09/900,596  
Amendment Dated: August 21, 2003  
Reply to Office Action Dated: May 13, 2003

3. (Original) A composition as claimed in claim 1 wherein the first component is selected from the group consisting of fatty acids, esters, alcohols and combinations thereof.

4. (Withdrawn) A composition as claimed in claim 3 wherein the first component is an alcohol surfactant with the ability to emulsify fats and oils.

5. (Currently Amended) A composition as claimed in claim 1 wherein the oil phase is a straight chained, lipophilic carbon source.

6. (Original) A composition as claimed in claim 1 wherein the first component comprises an acid selected from the group consisting oleic acid, stearic acid and combinations thereof.

7. (Original) A composition as claimed in claim 6 wherein the oleic acid or stearic acid is present in the composition in concentrations ranging between about 206 and 506 by weight.

8. (Original) A composition as claimed in claim 1 where in the first component comprises an external phase and the second component is an internal phase, the external and internal phases of the composition being in the form of a microemulsion.

9. (Currently Amended) A composition as claimed in claim 8 wherein the microemulsion comprises droplets ~~have~~ having a size of about 20 to about 400 angstroms.

Application No.: 09/900,596  
Amendment Dated: August 21, 2003  
Reply to Office Action Dated: May 13, 2003

10. (Currently Amended) A composition as claimed in claim 9 wherein the microemulsion comprises droplets ~~have~~ having a size of about 100 to about 200 angstroms.

11. (Original) A composition as claimed in claim 1 wherein the carbon in the oil phase provides an initial source of carbon for culturing microorganisms in a pollution site being treated.

12. (Original) A composition as claimed in claim 1 wherein the second component comprises a source of nitrogen.

13. (Withdrawn) A composition as claimed in claim 1 wherein the second component comprises a source of phosphorus.

14. (Original) A composition as claimed in claim 12 wherein the nitrogen is in a non-toxic form and is selected from the group consisting of urea, cyanamide, and combinations thereof.

15. (Withdrawn) A composition as claimed in claim 13 wherein the phosphorus is in a non-toxic form and comprises a phosphate ester.

16. (Original) A composition as claimed in claim 1 further comprising water.

17. (Original) A composition as claimed in claim 1 wherein the diluent is present in sufficient amounts so as to facilitate the even application of the composition to a pollution area.

Application No.: 09/900,596  
Amendment Dated: August 21, 2003  
Reply to Office Action Dated: May 13, 2003

18. (Canceled)

19. (Original) A composition as claimed in claim 1 wherein the diluent is butyl carbitol [2-(2-butoxyethoxy)ethanol].

20. (Original) A composition as claimed in claim 1 wherein the diluent is selected so as to maintain a flashpoint for the composition above 100°C.

21. (Original) A composition as claimed in claim 1 wherein the diluent is present in the composition in the amount of about 15 to about 350 by weight.

22. (Original) A composition as claimed in claim 1 wherein the diluent comprises an ethoxylated alcohol.

23. (Previously Presented) A composition as claimed in claim 1 wherein the diluent is selected to facilitate a reduction in viscosity of the first and/or second components to less than 200cSt to allow delivery by spray or other dispersion methods.

24. (Original) A composition as claimed in claim 1 comprising 20 to 50% by weight carbon, 0 to 30% by weight nitrogen, phosphorus.

25. (Withdrawn) A composition as claimed in claim 24 comprising about 22% by weight carbon, about 15% by weight nitrogen, about 25% by weight phosphorus, about 22% by weight diluent and about 18% by weight water.

Application No.: 09/900,596  
Amendment Dated: August 21, 2003  
Reply to Office Action Dated: May 13, 2003

26. (Withdrawn) A composition as claimed in claim 15 wherein the phosphate ester is lauryl phosphate.

27. (Withdrawn) A method of forming composition for treatment of a pollution site, the method comprising:

selecting a first component comprising a carbon containing substance in an oil phase;

mixing a second component with the first component, the second component comprising a nutrient in a water phase, second component being formed as an emulsion within the component; and

diluting the first and second components in a third component comprising a diluent selected for its ability to facilitate application of the composition to a pollution site.

28. (Withdrawn) A method as claimed in claim 27 wherein the carbon in the first component is formed so as to be degraded by microorganisms in the pollution site to thereby expose nutrient contained in the second component.

29. (Withdrawn) A method as claimed in claim 27 wherein the composition is formulated so as to have a concentration of 4 to 20 parts by weight for each 80 to 96 parts by weight of contaminant at the pollution site.

30. (Withdrawn) A method as claimed in claim 29 wherein the composition is diluted with water to obtain the concentration.